

D. STANDARD FORMS OF REQUEST FOR PROPOSALS; ADVERTISING AND NOTICE REQUIREMENTS

INSTRUCTIONS FOR PREPARATION OF THE REQUEST FOR PROPOSALS (RFP) FOR AGENCY-PROCURED LEASE (APL)

Delegation of Authority Has Been Suspended

At this time, Pages 4-72 to 4-74 (Including the APL standard form Request for Proposals, Sample Space Allocation and Finish Schedule, and Lease Proposal) have been deleted

FORM REQUEST FOR PROPOSALS (DPL)

Date Posted _____
Approval: _____

PROJECT NUMBER:

PROPOSAL SUBMISSION DEADLINE:

at 2:00 P.M.

Late proposals will not be considered.

**COMMONWEALTH OF MASSACHUSETTS
DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE
OFFICE OF LEASING AND STATE OFFICE PLANNING
REQUEST FOR PROPOSALS (RFP)**

1. SUMMARY

The Office of Leasing and State Office Planning (OLSOP) of the Division of Capital Asset Management and Maintenance (DCAM) invites proposals to lease space for use by the state agency listed below (User Agency), in accordance with the terms, conditions, and specifications described herein.

1.1. User Agency:

1.2. Program Description:

1.3. Summary of Space Needs

Location:

Amount of Space: square feet of Usable Area (as defined in §A-4.5)

Type of Space:

Desired Occupancy Date:

Type of Agreement: Commonwealth Standard Office Lease (Attachment C-2)

Term:

Estimated Demand for Public Parking: [] spaces within one-quarter mile of the proposed premises, and [] accessible spaces for the disabled available as close as possible to an accessible entrance to the proposed building.

Reserved Parking for User Agency: [] spaces within one-quarter mile of the proposed premises, and [] accessible spaces for the disabled available as close as possible to an accessible entrance to the proposed building. If such spaces are not included in the Lease, the Commonwealth must determine that such spaces may be leased separately.

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3. INTRODUCTION

The Office of Leasing and State Office Planning (OLSOP) of the Division of Capital Asset Management and Maintenance (DCAM) invites proposals to lease space for use by the User Agency listed in Section 1.1, in accordance with the Commonwealth Standard Office Lease in Section C-2 and General Specifications in Section B.

As leasing representative for all Massachusetts state agencies, DCAM has designed this RFP to provide for an open and competitive process for selecting lease space, as contemplated by Chapter 7 of the Massachusetts General Laws, by informing all potential proposers of: the steps proposers must take in order to have their proposals considered; the procedure followed by DCAM in evaluating proposals and selecting the most advantageous one; the criteria for such evaluation and selection; and the terms and conditions of the lease agreement to be executed between the chosen proposer and DCAM, acting on behalf of the User Agency, including the Landlord's Improvements and services to be provided by the landlord.

Section C-1 of this RFP contains the Lease Proposal Form to be used to submit a proposal. Please read the accompanying instructions before completing the proposal. Contact OLSOP if you have questions about this RFP.

4. DEFINITIONS

For the purposes of this RFP and the Lease, the following definitions apply:

- 4.1. **Division of Capital Asset Management and Maintenance:** The state agency which issues the RFP, makes the final selection of the successful proposal, and has authority to bind the Commonwealth by signing a lease contract. Within DCAM, the Office of Leasing and State Office Planning is responsible for handling all matters related to leasing.
- 4.2. **User Agency:** The state agency, as identified in Section 1.1, which will occupy the space being sought.
- 4.3. **Eligible Proposers :** Record owners of proposed property; brokers or other authorized agent of such record owners; master tenants whose leases permit subleasing; prospective building purchasers, provided that such purchasers must attach a copy of an executed purchase and sale agreement or other evidence of control of the property. No lease will be signed until the prospective purchaser becomes the record owner. Proposals must be submitted by a single ownership entity; proposals submitted jointly by separate owners for property they own individually will not be considered. Although DCAM will accept proposals from parties who are not the record owners of the proposed property, the record owner must sign the lease as landlord.
- 4.4. **Qualifying Proposals:** Proposals which meet the requirements identified in Section A-6 of the RFP. Proposals which are determined not to meet one or more of these requirements are non-qualifying proposals.
- 4.5. **Usable Area** For the purposes of this lease, the term "Usable Area" shall mean, with respect to the Premises or any space removed from or added to the Premises, the square footage determined by measuring the entire floor area of the Premises (or such other space) bounded by a line established by the predominant inside finish of the permanent

outside Building walls which abut the floor (not from the inside face of the windows) and by the interior surface of corridor walls or other demising walls. No deductions shall be made for columns or other projections necessary to the Building structure or systems, or for partitions subdividing the Premises. Notwithstanding the foregoing, under no circumstances shall the Usable Area include elevator shafts, vestibules, stair enclosures, elevator machine rooms or other building equipment areas, janitorial, electrical or mechanical closets, loading platforms, smoking vestibules required by law or restrooms, regardless of whether the User Agency occupies the entire floor or the entire Building.

- 4.6. **Public Parking:** Parking spaces readily available for use by User Agency staff, clients, and the general public at their own cost. This may include on-street parking as well as spaces in public parking lots or garages.
- 4.7. **Reserved Parking:** Parking spaces rented by the Commonwealth and reserved for the User Agency, primarily for authorized state vehicles. If possible, parking spaces should be provided by the building landlord and included in the rent. Reserved parking must accommodate overnight and weekend parking, and have unlimited entry and exit privileges.
- 4.8. **Accessible Parking for the Disabled** Parking spaces complying with all state and federal regulations, including those of the Massachusetts Architectural Access Board (MAAB) and Americans with Disabilities Act Access Guide for Title II (ADA).

5. **PROCEDURES FOR EVALUATION, SELECTION AND LEASE EXECUTION**

The Commonwealth's objective is to obtain the space most advantageous to its needs at the lowest cost. To this end, DCAM will evaluate all proposals for conformity to the requirements, and for the degree to which they satisfy the qualitative criteria and Commonwealth Policy Objectives, of this RFP.

DCAM and the User Agency will begin to review and evaluate proposals after the opening of proposals on the Submission Deadline. Evaluation of proposals will be based primarily on information provided in the proposals and obtained on site visits. Additional information will be obtained from references provided by the proposer, from other agencies or individuals familiar with the building proposed, from DCAM and other Commonwealth files, and from other generally available and verifiable information.

DCAM reserves the right to waive portions of the RFP for all proposers, to excuse minor informalities in proposals, or to reject all proposals, if deemed to be in the best interest of the Commonwealth.

- 5.1. **Initial Review:** DCAM will accept for consideration only those proposals which meet the submission requirements in Section A-6.1.1. Any proposals not received by the deadline will be rejected and returned to the sender. DCAM will prepare a list of those accepted for consideration and will mail this list to the User Agency and to each proposer whose proposal is accepted for consideration.

DCAM will review all proposals accepted for consideration to determine whether they meet the requirements in Section A-6. Proposals which do not meet one or more of these requirements will be rejected as non-qualifying. If DCAM is unable to determine whether the proposal meets one or more of the requirements, DCAM will attempt to

clarify the proposal before rejecting it as non-qualifying. DCAM will notify in writing proposers who submitted non-qualifying proposals.

DCAM reserves the right to eliminate from further consideration any proposals that are found to be unreasonably priced in relation to the majority of the proposals received. Such proposals shall be considered non-qualifying.

- 5.2. **Site Visits:** DCAM and User Agency staff will conduct site visits for all competitive, qualifying proposals, to verify the information provided in the proposals and to perform detailed evaluations of the proposed space and related areas. The proposer should be present at the site visit or should arrange to have someone present who has the knowledge and authority to represent him.

Proposers must be available to show the proposed premises on _____, __, and __, 20___. The exact date and time of the site visit will be confirmed by DCAM staff following the proposal submission deadline.

- 5.3. **Evaluation of Qualifying Proposals:** All qualifying proposals will be evaluated based on the qualitative criteria and compared with regard to the Commonwealth policy objectives. DCAM will prepare a cost analysis which estimates and compares total costs of occupancy for all proposals evaluated. DCAM will make the selection of a proposal, taking into account the analysis and recommendation of the User Agency.

- 5.4. **Notification of Proposers:** Upon selection of a proposal, DCAM will notify all proposers of the decision in writing, with a copy to the User Agency. Such notification does not represent a contract, nor does it commit the Commonwealth to enter into a lease. It is assumed that both parties will make a good-faith effort to negotiate a lease acceptable to the User Agency, DCAM and the landlord, but if agreement is not reached, the Commonwealth reserves the right to re-advertise or approach another proposer. The selection of a proposal may be conditioned upon the prospective landlord satisfying such conditions as may be established by DCAM and the User Agency.

- 5.5. **Preparation of the Lease:** DCAM, the User Agency, and the selected proposer work together to finalize a lease. The terms of this lease must be consistent with the RFP and the selected proposal, and must be in the form of the Commonwealth Standard Office Lease attached to this RFP. Proposers are cautioned to read this lease in its entirety before submitting their proposals.

After the lease has been prepared, DCAM will review it for conformance to the Commonwealth's legal requirements, to ensure that the terms and provisions are consistent with the RFP and selected proposal, and to confirm that exhibits are complete. Once DCAM has determined that the lease is complete and ready for signature, it will be sent to the landlord.

- 5.6. **Review and Execution of the Lease by DCAM:** The landlord will sign the lease and submit it to the User Agency. The User Agency will then sign the lease and submit it to DCAM for final review as to form and execution. Please note that the tenant under the lease is the Commonwealth of Massachusetts, represented by DCAM on behalf of the User Agency. **No lease is binding until it has been executed by DCAM.**

5.7. **Design and Buildout of Landlord's Improvements:** Following execution of the lease, it is the landlord's responsibility to deliver the premises to the User Agency in conformance with the Exhibits B and C (specifications and schematic space plan) of the lease. Please note that, in accordance with Article IV of the standard form lease, the landlord is responsible for the completion of construction documents prepared by licensed professionals (including final design layout), furnishing all labor and materials, and securing all permits necessary to complete the work, and for achieving substantial completion in accordance with the provisions of the lease.

5.7.1. **Quality Assurance:** All work provided and installed is to be performed in a good and workmanlike manner and shall follow manufacturers' recommendations as well as the latest version of referenced standards. If requested, the landlord shall submit brief resumes of the professionals, contractors, and sub-contractors working on the project.

5.7.2. **Coordination:** If requested by DCAM, the landlord shall submit the following, along with the construction documents, to DCAM and the User Agency:

- A comprehensive schedule outlining tasks to be performed by each party to the lease, highlighting critical dates, and
- A critical path schedule for the completion of Landlord's Improvements, showing the work of all trades and equipment installation, presented in bar-chart form on a time scale.

5.8. **Occupancy:** The User Agency will take occupancy of the leased premises only after construction of the Landlord's Improvements is substantially complete and the premises are deemed available for tenant's occupancy in accordance with Section 3.2 of the lease. The User Agency will confirm the date of occupancy, which will be the commencement date of the Tenant's Obligation to pay Rent.

6. **REQUIREMENTS**

A proposal must meet the following requirements in order to be considered qualifying and undergo further evaluation.

6.1. **General Requirements**

6.1.1. **Submission:** Proposals shall be submitted to DCAM as follows:

- 6.1.1.1. The proposal must be submitted on the DCAM Lease Proposal form included with this RFP.
- 6.1.1.2. Lease Proposals must be substantially completed. Proposals that contain material omissions will be deemed non-qualifying if allowing the missing information to be supplied after the opening of proposals would be prejudicial to fair competition.
- 6.1.1.3. Proposals must be submitted in sealed envelopes labeled as required by paragraph B of the instructions for submitting lease proposals.

6.1.1.4. Proposals must be received in the DCAM Office of Leasing and State Office Planning, One Ashburton Place, 14th Floor – Room 1411, Boston, Massachusetts 02108, on or before the submission deadline stated on page A-1 of this RFP. The time clock located in the reception area of the DCAM Office of Leasing and State Office Planning is used to establish the official time for receipt of proposals.

6.1.2. **Eligible Proposer:** The proposal must be submitted by an eligible proposer, as defined in Section A-4.3.

6.1.3. **Type of Agreement and Term:** The Commonwealth Standard Office Lease (Attachment C-2 of this RFP) contains the terms and conditions under which the Commonwealth leases space. For a proposal to be qualifying, it must represent that the proposed landlord agrees to sign a lease substantially in this form without material modification, and must include any requested modification of standard provisions. The Commonwealth is not required to consider any request for modification received after the Proposal Submission Deadline.

6.2. **Location**

6.2.1. **Search Area** The proposed building must be located within the search area indicated in Section A-1.3.

6.2.2. **Parking:** A sufficient number of public parking spaces to meet the estimated demand in Section A-1.3 must be available within one-quarter mile of the proposed building, and sufficient accessible parking for the disabled must be available as close as possible to an accessible entrance to the proposed building. If public parking is insufficient to meet the estimated demand, the proposer must indicate in the proposal how the estimated demand for parking will otherwise be met.

The reserved spaces for use by the User Agency must be available within one-quarter mile of the proposed building, and the accessible parking spaces for the disabled must be available as close as possible to an accessible entrance to the proposed building. It is preferred that the proposal identify reserved spaces to be included in the proposed lease. If such spaces are not proposed to be included in the lease, the Commonwealth must be able to determine that such spaces can be leased separately.

6.3. **Building Conditions: Enclosure, Systems and Common Areas**

6.3.1. **Building Codes:** The proposed building must comply with all applicable federal, state, and local code requirements, or DCAM must be satisfied that it can and will be brought into substantial compliance by the desired occupancy date. Such codes include, but are not limited to, the Massachusetts State Building Code, Massachusetts Architectural Access Board Regulations, and other applicable Codes of Massachusetts Regulations (CMRs). If a proposal is accepted subject to the landlord meeting certain code requirements, the Commonwealth will not take occupancy of the space until all code deficiencies have been fully corrected.

- 6.3.1.1. **Life Safety:** The building and leased premises must comply with building codes for life safety. Life safety hazards detected either before or during occupancy shall be corrected at the proposer's expense. DCAM requires that emergency lighting comply with current code standards for new construction within the leased premises and along all paths of egress. All fire protection equipment and materials must be maintained in accordance with applicable codes and ordinances. This includes, but is not limited to, fire doors, fire walls, fire stops, fire extinguishers, fire escapes, exit route diagrams, exit signs, emergency lighting and alarm systems.
- 6.3.1.2. **Barrier-Free Access:** The proposed building must meet the requirements in Section B for barrier-free access.
- 6.3.1.3. **Hazardous Substances:** The proposer must confirm that all hazardous substances in or under the proposed building and property, whether presently known or discovered, shall be remediated to the satisfaction of the Commonwealth before its occupancy of the building.
- 6.3.1.4. **Restrooms:** The landlord must provide and install restrooms and drinking fountains as dictated by code. In older buildings, proposers may provide and install water coolers and bottled water in lieu of drinking fountains.

6.3.2. **Building Systems**

- 6.3.2.1. **HVAC:** HVAC systems must be designed to maintain the temperature throughout the premises within 70 ° and 74° Fahrenheit in the wintertime and within 72 ° and 76° Fahrenheit in the summertime. HVAC sound levels are not to exceed a noise criterion (NC) number of 35.
- 6.3.2.2. **Electrical Service:** Electrical service must be of sufficient capacity to provide adequate power for the building's electrical equipment and power required to operate all User Agency equipment described in Section B.

6.4. **Building Conditions: Structure and Layout**

- 6.4.1. **Usable Area and Type of Space:** The proposal must offer the amount of space in usable square feet (see Section A-4.5 for definition of Usable Area) stated in Section A-1.3 of the RFP. DCAM reserves the right to accept proposals for an amount of space that varies from this amount, provided that it meets the User Agency's space needs. The acceptable variance is generally limited to 10%.

The proposal must offer the type of space sought and DCAM must be satisfied that the proposed space is, or will be made, functional for the stated purpose.

- 6.4.2. **Landlord Improvements** : The proposer must agree to substantially meet the General Specifications in Section B, or must suggest, within the proposal, alternatives acceptable to DCAM and the User Agency.
- 6.4.3. **Floor Loading**: Floor loading must meet minimum capacities required by code, and the landlord must confirm that the building can meet any special floor loading requirements indicated in Section B.
- 6.5. **Landlord Capacity**: The proposer must agree to substantially meet the Landlord's Services in the General Specifications in Section B or must suggest, within the proposal, alternatives acceptable to DCAM and the User Agency.

7. **QUALITATIVE AND OTHER CRITERIA**

The following criteria will be used to compare the relative merits of qualifying proposals.

- 7.1. **Execution of the Commonwealth Standard Office Lease**: The proposed landlord's willingness to enter into the Commonwealth Standard Office Lease, as evidenced by the extent and nature of any modification that is requested by the proposer to the standard provisions.
- 7.2. **Location**: The suitability of the proposed location for the operations of the office or facility, including:
 - 7.2.1. **Access**: Ease of access to the proposed building by public transit, shuttle, automobile, and foot. Access to public transportation will be given greater consideration in urban areas than in non-urban areas, where such transportation may not be available or may be available on only a limited basis. Access to specified highways, streets, or public transportation will be considered when identified in the RFP.
 - 7.2.2. **Proximity**: Proximity of the proposed building to clients, customers, and other offices and facilities with which User Agency staff and clients regularly interact, when identified in the RFP.
 - 7.2.3. **Parking**: Proximity, accessibility, and cost of public and reserved parking spaces. The number of public and reserved parking spaces needed is identified in Section A-1.3. DCAM will consider whether parking areas and the walkways between them and the proposed building are well-lit and the walkways easily traversed.
 - 7.2.4. **Neighborhood Characteristics**: The characteristics of the surrounding neighborhood, including compatibility of adjacent uses, the safety and security for persons and property, and availability of basic services and amenities. The impact of adjacent uses on the health and safety of staff or clients, the safety of the immediate neighborhood and existence of well-lit, well-traveled access routes from parking lots or public transportation will be considered. If staff or clients have appointments during evening hours, off-hour security will be an important consideration.

7.3. **Building Conditions : Enclosure, Systems and Common Areas :** Quality, condition and functional efficiency of the proposed building with proposed improvements. Includes specific consideration of:

7.3.1. **Building Enclosure and Systems :** The existing and proposed condition of the building envelope (including the roof, foundation, walls, and exterior windows and doors), and the HVAC, plumbing and electrical systems and their capacity to meet the Commonwealth's needs over the term of the lease in a reliable and cost-effective manner.

7.3.2. **Building Common Areas :** The existing and proposed location, accessibility and condition of public or "common" areas, including the building entrance, lobby, vestibules, stairs, corridors, ramps, elevators, loading dock, restrooms and security lighting (minimum level 10 foot-candles) for all corridors and areas used by the Commonwealth.

Vestibule: In cases where the leased space has direct access to the outside, premises which have a vestibule for weather control and worker comfort, with the exterior door opening into the vestibule and entry into the leased space through entrance doors, will receive a higher rating on this evaluation criterion. Vestibules must have a minimum of 20 foot-candles lighting at floor level. (Please note that vestibules are not included in the calculation of usable area.)

Restrooms: The existing and proposed condition of restrooms will be considered, including the presence of recessed or surface-mounted toilet paper and paper towel holders, waste receptacles, soap dispensers, mirrors, and coin-operated sanitary napkin dispensers in women's rooms.

7.3.3. **Tenant Compatibility:** The compatibility of other tenant activities in the building with the Commonwealth's proposed use will be considered. Proposals which provide feasible opportunities to co-locate two or more state agencies in a building or complex of buildings and which create related economic benefits will be rated higher on this evaluation criterion.

7.4. **Building Conditions : Structure and Layout:** The suitability of the proposed rental space for the space program of the office or facility, including specific consideration of:

7.4.1. **Configuration:** The conformance of the configuration of the premises to the User Agency's needs, taking into account the size and shape of the space and any internal barriers to efficient design.

7.4.2. **Column Spacing:** Column bay spacing at 25' to 35' on center is generally desired, since smaller bay sizes may limit possibilities for interior partitioning.

7.4.3. **Entrances:** Proximity and access from the proposed space to building entrances and support areas.

7.4.4. **Location and Distribution of Space:** Upper-level floors are usually sought for administrative functions, lower-level floors for offices generating substantial traffic requiring ease of accessibility. Basement space free from water or

obstructions and with adequate window area will be considered. Contiguous space on one floor is preferred except for very large offices.

7.4.5. **Natural Lighting:** Premises which provide window area equal to at least 25% of the exterior wall surface are preferred and will receive a higher rating on this evaluation criterion.

7.4.6. **Ceiling Heights:** Ceiling heights may range from 8' to 11' high; 8'-6" to 9'-6" high are preferred, since higher ceilings generally mean increased HVAC and buildout costs.

7.5. **Landlord Capacity:** The demonstrated capacity of the proposed landlord to develop the proposed space for occupancy by the Commonwealth and to provide the property management services required by the RFP and lease. The qualifications, experience and financial strength of the proposed landlord, the design team and contractor, and the property management company will be considered.

7.5.1. **Timely Completion of Work:** The demonstrated capacity of the proposed landlord, the proposed designer(s) and the proposed contractor(s) to substantially complete the design and construction of all improvements to the property required for the Commonwealth's occupancy by the desired occupancy date identified in Section A-1 of the RFP.

7.5.2. **Technical and Financial Capacity to Complete the Project:** The demonstrated capacity of the proposed landlord to finance the required improvements, and the demonstrated capacity of the proposed landlord, the proposed designer(s), and the proposed contractor(s) to design and construct the proposed space to meet the Commonwealth's needs in accordance with the proposed rent and based upon the specifications of the RFP and the terms of the lease.

Evaluation of this criterion shall take into account the experience of the landlord in completing projects of similar cost and complexity and the experience of the proposed designer(s), contractor(s) and property manager(s) in designing, constructing and managing projects and properties of a similar complexity, type and size.

7.5.3. **Building Management Capacity to Operate and Maintain the Property:** The demonstrated capacity of the proposed landlord, either directly or through contract, to provide the property management services specified in the RFP in a professional and timely manner and in accordance with the terms of the lease.

7.6. **Commonwealth Policy Objectives:** It is DCAM's policy, where feasible, to acquire leased space in a manner that supports:

7.6.1. **Revitalization of Downtown Centers of Cities and Towns :** Executive Order 134 states the policy that in obtaining space for the use of state agencies, preference be given to locating agencies in existing buildings in downtown centers where suitable space can be obtained, considering the nature of agency operations, consistent with the RFP and applicable law.

7.6.2. **Rehabilitation of Historic Buildings:** M.G.L. Chapter 7, §40F mandates that in acquiring buildings for the use of state agencies, first consideration be given to structures that have been certified as historic landmarks through listing on the National Register of Historic Places or designation by local historic commissions, “unless use of such buildings would not be feasible in terms of costs and requirements when compared with other available properties.”

7.7. **Cost:** DCAM will evaluate costs based on the present value of the total costs that will be incurred by the Commonwealth to use and occupy the proposed premises under the terms of the proposal for the entire term of the lease. These costs include the rent, any additional rent or other sums paid to the landlord, operating expenses paid directly by the tenant, such as separately metered utilities, and all other costs directly associated with the use of the premises, such as the cost of shuttle service required to compensate for a building’s location. Costs not contained in the proposal will be estimated based on information provided by the User Agency or other state leases, or obtained from market data.

Proposers are urged to read Section 1 of the Lease Proposal carefully. All cost information, including offers of free rent, alternative reduced rent schedules, etc. must be included in the proposal. **DCAM cannot consider rent concessions that are offered after the deadline for submitting proposals.**

B. GENERAL SPECIFICATIONS

1. LANDLORD' S SERVICES

The services described in Section B1 are those which the landlord is expected to provide for the tenant under the Standard Commonwealth Office lease. The Lease Proposal must identify any of these services that the landlord does not propose to provide so that DCAM can take this into account in evaluating the proposal.

2. LANDLORD' S IMPROVEMENTS

The specifications in Section B2, combined with the Space Allocation and Finish Schedule in Section B3, describe the standards for Landlord' s Improvements for the space sought by this RFP. The specifications, as revised by agreement of the proposer and the Commonwealth based on the selected proposal and subsequent negotiation, will be incorporated into the lease.

The proposer should clearly identify in the proposal any standards which cannot be met. For any standards which will not be met, the proposer may suggest an alternative for consideration; DCAM will determine whether it is equivalent. Using this mechanism, proposers are encouraged to submit alternative proposals which allow them to use special features of the proposed building to meet the needs of the User Agency in a better or more cost effective manner. DCAM' s intention is to provide a clear basis for determining whether proposals are acceptable and comparable while also making it possible to take advantage of useful and cost-effective features of existing buildings.

B. GENERAL SPECIFICATIONS

1. LANDLORD' S SERVICES

- 1.1. **Utilities:** The landlord is to provide the following utility services to the building and premises: (1) water, sewer, gas, fuel, and electricity (2) heating, ventilation and air-conditioning, (3) all common area lighting, and (4) power for the User Agency' s office equipment and lighting within the premises. All utilities must be available during the normal business hours of 8:00 a.m. to 6:00 p.m., Monday through Friday, except holidays.

The temperature throughout the premises is to be maintained within 70° and 74 ° Fahrenheit in the wintertime and within 72 ° and 76° Fahrenheit in the summertime during working hours, defined as 8:00 a.m. to 6:00 p.m., Monday through Friday, except holidays.

- 1.2. **Maintenance, Building and Grounds:** The premises must be maintained in good repair and tenantable condition. The building and grounds are to be kept clean and free from litter and the grounds are to receive proper landscaping care. Snow and ice are to be removed from all entrances, exits, sidewalks, and parking areas before normal working hours and thereafter as necessary. Salt and sand are to be used as necessary to ensure safety.

The landlord is to provide the continuous routine maintenance and repair services needed to maintain the premises and property in good condition. This includes, but is not limited to, the repair and/or replacement of broken glass, roof and ceiling leaks, floors, walls, ceilings, plumbing, locks, fire protection equipment, lighting fixtures and lamps, heating, ventilating and air-conditioning systems, security systems, and elevators. HVAC equipment is to be serviced, filters replaced, and diffusers cleaned in accordance with manufacturer' s recommendations, or more often if local conditions dictate. During the lease term, the landlord is responsible for replacing with equal goods worn or damaged ceiling tiles and floor coverings, and for repair and repainting of wall surfaces.

- 1.3. **Building Security and Access:** The landlord is to allow authorized User Agency employees to have access to the premises at all times. This may be accomplished by using security guards or by means of a master key, electronic card, or similar restrictive entry system.

- 1.4. **Janitorial Services:**

Daily: Empty waste baskets; remove trash; wash and clean all restroom fixtures and floors; replenish paper and soap products; sweep uncarpeted floors (including entrances, lobbies, and corridors); vacuum carpeting; and clean and polish drinking fountains and water coolers.

Weekly: Wash all uncarpeted floors, dust furniture and all horizontal surfaces, including fixtures, blinds, window sills and radiators; clean and sanitize all restroom plumbing fixtures; buff uncarpeted floors; and clean all door entry

window glass, visual glass panels on room doors, all glass sidelights, all office visual glass panels and all modular furniture Plexiglas panels.

Quarterly: Strip, wax and buff uncarpeted floors; and vacuum air diffusers.

Semi-Annually: Shampoo carpet; clean upholstered fabric-covered surfaces, including modular systems furniture panels; wash windows (inside and outside); damp wash air diffusers, grills, and surrounding wall and ceiling.

Annually: Wash blinds; dust all high surfaces.

As Needed: Supply and replace all paper and soap products in restrooms; supply and replace all liners for all waste and sanitary napkin receptacles; exterminate pests; spot clean carpets; empty separate recycling containers located at each work location into User Agency-provided recycling bins for User Agency disposal.

2. LANDLORD' S IMPROVEMENTS

2.1. Abbreviations

ADA	Americans with Disabilities Act
AWI	Architectural Woodwork Institute
ASHRAE	American Society of Heating, Refrigeration, and Air Conditioning Engineers
BOCA	Building Officials & Code Administrators International, Inc.
CFM	Cubic feet per minute
CMU	Concrete masonry units
CMR	Code of Massachusetts Regulations
GWB	Gypsum wall board
MAAB	Massachusetts Architectural Access Board
STC	Sound transmission coefficient
UL	Underwriters' Laboratories, Inc.

2.2. General Conditions

- 2.2.1. **Improvements** : All improvements to the leased premises and related areas are to be provided and installed by the landlord and are to be in accordance with the approved construction drawings, which are based on the General Specifications in Section B and the Space Allocation and Finish Schedule in Section B-3.
- 2.2.2. **Code and Regulatory Requirements** : All building improvements are to comply with the Massachusetts State Building Code, Massachusetts Architectural Access Board Regulations (MAAB), regulations for the Americans with Disabilities Act (ADA), and other applicable Codes of Massachusetts Regulations (CMRs). Where federal or local codes, or regulations, ordinances, or zoning laws apply (with respect to egress requirements, area allowances, rated assembly requirements, flame spread and smoke generation characteristics of materials, etc.), the more restrictive regulation is to be followed.
- 2.2.3. **Access for Individuals with Disabilities**: The building must be free of barriers preventing access to the proposed space by individuals with disabilities in accordance with applicable state and federal regulations. Buildings with passenger or freight elevators must have automatic self-service controls and cab sizes which comply with applicable accessibility regulations. Accessible parking spaces must be located as close as possible to an accessible entrance to the building. If accessible parking spaces are not located within 200 feet of an accessible entrance, there must be an accessible passenger drop-off area within 100 feet of an accessible building entrance.
- 2.2.4. **Submittals**: Before the completion of the final design phase, the landlord is to submit cuts, samples, and color swatches necessary to show the manufacturer' s standard product line for any new finishes to the User Agency for review, approval, and color selection during the final design phase of the construction documents. The submittals covered include

floor, wall, ceiling, and architectural woodwork finishes and materials. After the finalization of construction drawings, the landlord shall submit, in a timely manner for approval, door and hardware keying schedule and catalog cuts and all shop drawings and catalog cuts for architectural woodwork, HVAC distribution, and electrical and telecommunications distribution and equipment. Before final acceptance of the premises, the landlord shall deliver to the User Agency copies of maintenance and instruction manuals for all installed equipment and systems.

- 2.3. **Walls:** Walls are to be located as shown on approved construction drawings. The standard wall is assumed to be 5/8" GWB on 25-gauge metal studs 24" on center, although other materials, including pre-finished wall systems, providing similar acoustics, durability, and physical appearance are acceptable. For all new construction, offset electrical outlets and similar openings. Tape and finish joints with a three-coat system below acoustical ceilings and a one-coat system above the ceiling. The landlord is to provide and install 2" x 6" wood blocking as required for support of all wall-mounted elements. The landlord is to refinish existing walls to match new partitions. All surfaces are to be clean and smooth. The existing walls and/or partitions are to be incorporated as a part of the new leased premises to be prepared to receive new finish specified.

DCAM uses STC ratings to specify minimum acoustical requirements. A specific STC rating may be achieved by a number of different construction assemblies, as published by several organizations including the Gypsum Association. Where walls differing from standard walls as defined above are specified, install the corresponding types of doors, frames, and hardware.

- 2.3.1. **Demising Wall:** Demising walls separating the proposed premises from other tenants and building support areas must meet code criteria for fire separation. Demising walls are to extend tight to the structural ceiling, meet an STC rating of 45 or better, and be finished to match adjacent walls. A suggested assembly consists of 3 5/8" 25-gauge metal studs and tracks, fastened securely to floor and structural ceiling, with one layer Type X 5/8" GWB on each side [and a row of horizontal stiffeners at midpoint of wall where required]. The landlord is to apply acoustical sealant at bottom and top and at all penetrations, and provide and install sound attenuating blanket between studs. A two-hour UL rating can be achieved using two layers Type X GWB on each side.
- 2.3.2. **Full-Height Partition** The landlord is to provide and install full-height partitions as indicated on the Space Allocation and Finish Schedule in Section B-3. Full-height partitions are to achieve an STC rating of 40 or better. A suggested assembly consists of 3 5/8" 25-gauge metal studs and tracks with one layer 5/8" GWB on each side extending 6" above a standard 5/8" acoustical tile ceiling tightly fitted to the partition. The landlord is to fasten tracks directly to floor and structural ceiling or install angle bracing from the structural ceiling to top of track to provide a rigid assembly. Pre-finished wall systems providing similar acoustics, durability, and physical appearance may be submitted for consideration.

2.3.3. **Low-Height Partition:** The landlord is to provide and install low-height partitions as specified on the Space Allocation and Finish Schedule in Section B-3. The landlord is to assume an average height of 60" for all low partitions; the User Agency reserves the right to specify up to three different heights during final design. Suggested assembly consists of 3 5/8" 25-gauge metal studs and tracks securely fastened to the floor with 1/2" or 5/8" GWB on each side. The landlord is to brace with cross walls at a minimum of every 10' one side. The landlord is to provide and install milled, stain grade overlapping wood cap over a continuous wood nailer for partitions visible from above.

2.4. **Doors :** Doors and frames are to match the acoustical, fire code, and/or security qualities of the surrounding walls. Dimensions and locations of doors and hardware are to comply with all applicable accessibility requirements. Standard door and hardware upgrades, by type and location, are specified on the Space Allocation and Finish Schedule in Section B-3. The landlord is to provide and install UL labeled fire-rated metal door in labeled frame as required by code. Door/frame finish is to consist of either one coat sealer/primer and two coats semi-gloss enamel, up to three colors selected by the User Agency, or two coats polyurethane, with or without stain. All existing doors and frames which will remain are to be prepared to receive new finishes.

2.4.1. **Standard Interior Door and Frame:** The landlord is to provide and install 1 3/4" thick x 3' wide x 6'-8" to 7' high solid core wood flush doors with hardwood stain grade veneer in 16 gauge steel frames, knock-down construction, with 5/8" deep stops, factory-primed, and with two coats compatible paint finish. The landlord is to add door manufacturer's standard glass panel, approximately 9" wide x 30" high located at eye level on the latch side of the door for all passageways and habitable rooms, including offices and meeting rooms, except where specifically excluded on the Space Allocation and Finish Schedule in Section B-3.

2.4.2. **Tenant Entry Doors :** The landlord is to provide and install 1 3/4" thick x 3' wide x 6'-8" to 7' high, 16-gauge metal or solid core wood doors with hardwood stain grade veneer in 16-gauge welded steel frames. The landlord is to add 18" to 36" wide x 6'-8" to 7' high, tempered glass sidelight in metal or wood frame adjacent to door; actual size to be determined by the User Agency during final design.

2.5. **Hardware**

2.5.1. **Standard Hardware Package:** On standard doors, the landlord is to provide and install Grade 2 hardware package including 1½ pair non-rising pin butt hinges; latchset with lever handles; silencers; floor or wall-mounted door stops 5/8" deep. Latchsets are to be Arrow, Best or Schlage only. All hardware is to be stainless steel with commercial grade US32D satin finish. The landlord is to install closers and panic bars as required by code.

2.5.2. **Locks :** The landlord is to provide and install cylinder lockset using interchangeable core cylinders to allow immediate re-keying of lock,

keyed to the User Agency master, at all storage and equipment rooms, tenant entry doors and at locations as noted on the Space Allocation and Finish Schedule in Section B-3.

2.5.3. **Heavy-Duty Hardware Package**: The landlord is to provide and install heavy-duty Grade 1 hardware including ball bearing hinges, cylinder lockset, and deadbolt with minimum 1" throw and concealed hardened steel roller. Latchsets are to be Arrow, Best or Schlage only. The landlord is to provide and install turnpiece on inside face of door. Up to two additional deadbolt units are to be provided and installed when indicated on the Space Allocation and Finish Schedule in Section B-3.

2.6. **Finishes and Specialties**: The landlord is to refer to the Space Allocation and Finish Schedule in Section B-3 for location of all finishes. The following finishes and specialties are minimum standards; all finishes are subject to approval. New finishes should be chosen from manufacturers' open stock to allow proper matching.

2.6.1. **Ceilings**: Ceilings may be new or existing acoustical tile systems, or exposed ceilings may be acceptable in historic renovations, subject to DCAM approval, if utilities are organized and the visual appearance is pleasing. For new installation, the landlord is to provide and install an acoustical tile ceiling system consisting of 2' x 4' x 5/8" lay in panels in a suspended T-grid system. Ceilings are to be at least 8 feet and no more than 11 feet from the floor. All piping is to be concealed in hung ceiling. If the existing system is to be reused, it must be level and meet standards of new construction. The landlord is to remove all soiled or damaged ceiling tiles and replace to match finish, pattern, and color of surrounding tiles. The landlord is to replace bent or otherwise damaged grid members.

2.6.2. **Floors**: Floor finishes for all rooms/areas are specified on the Space Allocation and Finish Schedule in Section B-3, and must comply with all applicable accessibility requirements with regard to floor materials, door threshold, carpeting height, and anchoring details. All floors are to be level and smooth before laying down agency floor finishes.

2.6.2.1. **Carpet and Straight Base**: Except where otherwise indicated on the Space Allocation and Finish Schedule in Section B-3, the landlord is to provide and install 32-ounce faceweight carpet, level loop, stain-resistant nylon directly adhered to the floor with a minimum five-year guarantee, anti-static warranty, and a certified indoor air quality (IAQ) label from the Carpet and Rug Institute. The landlord is to provide and install matching carpet tiles in areas where underlying floor accessibility is required. Where adhesive use is required, the landlord is to use water-based and low resin adhesives and is to adjust maintenance procedures to ensure durability of resins, as per manufacturer's recommendations. The landlord is to provide and install 4" vinyl, rubber, or wood straight wall base.

2.6.2.2. **Vinyl Composition Tile and Cove Base:** In areas indicated on the Space Allocation and Finish Schedule in Section B-3, the landlord is to provide and install 12" x 12" x 1/8" commercial grade vinyl composition tile (VCT) with a vinyl reducer strip between carpet and VCT. The landlord is to install 4" cove base along all walls.

2.6.3. **Wall Finish**

2.6.3.1. **Paint:** The landlord is to provide and install one coat of appropriate primer/sealer and two coats of egg-shell or semi-gloss latex paint; up to three colors, selected by the User Agency. All painted and sealed surfaces are to be lightly sanded between coats to give a clean smooth finish.

2.6.3.2. **Protective Wall Covering:** In high traffic public areas indicated on the Space Allocation and Finish Schedule in Section B-3, the landlord is to provide and install 36" high heavy-duty vinyl wall covering or hi-build epoxy paint as a wainscot, with wood chair rail.

2.6.4. **Specialties**

2.6.4.1. **Signage:** The landlord is to provide and install a User Agency signage system which includes all room numbers and room names (i.e., conference, computer, rest rooms, etc.) with changeable inserts or applied dyecut vinyl letters. The landlord is to provide and install directories at main entrance(s) and each floor of multi-story buildings to allow visitors to easily find their way to the leased premises. In buildings occupied solely by the Commonwealth, the landlord is to provide and install exterior sign(s) indicating the Commonwealth of Massachusetts, the User Agency name(s), street address, and town. The landlord is to provide and install signs to meet all applicable accessibility requirements.

2.6.4.2. **Window Coverings:** The landlord is to provide and install either 1" wide horizontal aluminum blinds or 2 1/2" to 3 1/2" operable vertical blinds for building perimeter windows. The type and color are to be selected by the User Agency.

2.7. **Mechanical**

2.7.1. **Sprinkler Head Locations:** The landlord is to coordinate sprinkler heads with partition plans in compliance with NFPA 13 and with specific approval of local authorities having jurisdiction. The landlord is to modify existing sprinkler head locations, as necessary, to reflect new partitioning.

2.7.2. **HVAC**

2.7.2.1. **Certification:** Before occupancy, the landlord is to furnish the following certifications:

- A registered engineer's certification that the building HVAC systems as designed and constructed will satisfy the requirements of the RFP.
- A registered engineer's certification that air distribution is properly balanced in accordance with the design intent as set forth in the RFP specifications and the relevant drawings.

Any deficiencies are to be corrected by the landlord at the landlord's sole expense.

2.7.2.2. **Heating and Air Conditioning System:** The distribution systems must be designed to maintain the temperature throughout the premises within 70 ° and 74° Fahrenheit in the wintertime and within 72 ° and 76° Fahrenheit in the summertime. HVAC sound levels are not to exceed a noise criterion (NC) number of 35.

2.7.2.3. **Ventilation:** Office areas, restrooms, conference rooms, staff support areas and special equipment rooms are to be ventilated in compliance with the more restrictive requirements of the latest versions of the Massachusetts State Building Code, the BOCA National Mechanical Code or the ASHRAE standards. Ventilation equipment is to be installed and maintained in accordance with the manufacturer's recommendations.

2.7.2.4. **Zone Control and Thermostats :** The landlord is to provide and install one thermostat control per zone. Zone boundaries are to be located based on the climate impact on the building, different temperature requirements for activity, and different hours of useful occupancy. Areas of disparate heat gain/loss (i.e., exterior vs. interior zones ; conference or copier rooms) are to be zoned separately.

The tenant spaces are to be zoned apart from non-tenant spaces and controlled by thermostats that are located solely within these spaces. All thermostats are to be secured by locked cage or key.

2.7.2.5. **Condensate Piping:** The landlord is to provide and install condensate drainage piping between drain pans of cooling coils and existing sanitary drains in accordance with equipment manufacturer's recommendations. The pipes must be plumbed with traps or air gaps in accordance with the Massachusetts State Plumbing Code.

- 2.8. **Electrical:** The landlord is to provide and install an electrical system which is complete, tested, and ready for operation for both power and lighting distribution. All conduit, wiring, electrical equipment, and fixtures are to be installed and grounded in accordance with the latest rules and regulations of the National and Massachusetts Electrical and Building Codes, the requirements of the utility company, and the local electrical inspection department.
- 2.8.1. **Service:** Electrical service must be of sufficient capacity (227/480 volts or 120/208 volts) to provide adequate power for electrical equipment to be installed as part of the building plus the power required to operate all User Agency equipment described in Section B. If the usable area is 10,000 square feet or more, the landlord is to provide and install a separate meter installation to comply with utility company's requirements. Except for main distribution switchboard in multiple tenant buildings, power panels are not to be shared with other tenants. The landlord is to provide and install panel(s) for lighting branch circuits independent from panel(s) supplying receptacles and power operated equipment in all tenant spaces above 6,000 square feet. All power and lighting panels are to have bolt-on type circuit breakers, a door with lock and key, and to include a typewritten directory on the inside of the door. The landlord should allow 4 watts per square foot for receptacles and lighting, and provide and install one spare circuit for every five active circuits, based on the recommendations of the National Electrical Code.
- 2.8.2. **Wiring:** All wire is to be copper. The size of feeders is to be determined by connected loads and to be of adequate size to comply with code required voltage drop limitations. The minimum size branch circuit wiring is to be Number 12 AWG, maximum of 1500 watts on a 20-amp, 120-volt circuit. Wiring is to be installed in raceways such as EMT or in rigid steel conduit. Type NM (romex) may not be used where the ceiling is used as a plenum. BX (metal-clad) cable may be used above hung ceilings and in partitions. Where building conditions do not permit concealment of wiring, the landlord is to use surface metal raceways, such as Plugmold or Wiremold. Make final connections to motors with seal-tite type conduit and fittings. Where raised floors are to be installed, all wiring is to be in metal raceways. Independent grounds for computer outlets are to be by insulated copper wire; metal raceways are not to be used as a ground.
- 2.8.3. **Outlets:** The landlord is to provide and install one 20-amp, 120-volt floor or wall-mounted duplex outlet with independent ground per 75 square foot or per work station, whichever is smaller, in open office areas; two general purpose duplex receptacles with independent ground (minimum) per private office or room. Plugmold may be installed at transaction counters, one duplex outlet per position. Rooms over 200 square feet to have an additional outlet for each 150 square feet. Power poles (one per 600 square feet) may be used to provide power to the outlets. No more than eight standard duplex receptacles to be connected to one circuit.

- 2.8.4. **Special Outlets:** The landlord is to provide and install one dedicated 30-amp outlet with number 10 wire for each 3000 square feet. In addition, special outlets are to be provided and installed for User Agency equipment rated at over 1,000 watts or having special phase or voltage requirements, as indicated in the Space Allocation and Finish Schedule in Section B-3.
- 2.8.5. **Lighting and Switches:** All fixtures are to be UL listed 2'x2' or 2'x4' recessed, energy-efficient fluorescent fixtures with energy saving electronic ballast, cool white lamps and 1" silver-finish parabolic or parabolic lens fixtures, to be compatible with the ceiling system and installed flush with normal ceiling finish. Lighting fixtures are to be spaced to maintain a uniform lighting level of 65 foot-candles at desk-top height. The landlord is to provide and install one single pole lighting switch per enclosed room and per 600 square feet of open floor area. Divisible spaces and areas with more than one access point are to have three-way and four-way switching. All switches are to be located adjacent to the entrance door(s) of each space. In public access areas, the landlord is to provide and install locked panels to prevent tampering.
- 2.8.5.1. **Emergency Lighting:** The landlord is to provide and install emergency lighting in corridors, large conference rooms, and open office areas. Emergency lighting to be 12-volt battery units with remote tungsten/halogen lamp heads strategically located. Even when older buildings are exempt from new building requirements, the landlord must upgrade emergency lighting to comply with current code standards for new construction within the leased premises and along all paths of egress.
- 2.8.6. **Telephone Wiring:** The landlord is to provide and install a complete telephone wiring system for the leased space, to conform to the Commonwealth's Information Technology Architecture and Enterprise Standards/Wiring standards and guidelines, including all horizontal station wire, communications outlets, modular connectors, permanent connectors and vertical distribution systems (or riser backbones) with riser cable access conduit or sleeved cores. (The Wiring standards can be accessed directly at <http://www.state.ma.us/itd/spg/publications/standards/ArchStan.htm#Wiring>.) The landlord is to provide and install adequate plywood backboard to be wall-mounted for telephone and data equipment needs, punch-down blocks, rack-mounted modular RJ-45 patch panels, light, and convenience outlets.

The landlord is to pre-wire each telephone jack/extension from the modular patch panel in the telecommunications/LAN room to the extension location. Pre-wiring is to consist of a minimum of twin four pair twisted pair (4 pair voice, Category 6, 24 AWG; 4 pair data, Category 6, 24 AWG) unshielded cable enclosed by a thermoplastic jacket connecting to dual faced modular RJ-11 or RJ-45 jacks, or as required by the voice station equipment, at the extension. The exact jack

type is to conform to the Commonwealth's Information Technology Architecture and Enterprise Standards/Wiring standards and guidelines.

Station wire to the telephone closet is to terminate (punch-down) into a 110-type block. Cables must be cut down in numerical order. Cables must include six feet of additional length, looped in the room to allow for future adjustment of blocks. All station wire shall conform to the Commonwealth's Information Technology Architecture and Enterprise Standards/Wiring standards and guidelines, including a physical wire test with signed acceptance.

The landlord is to provide and install telephone communications outlets as follows: two in each conference room, hearing room and any other room/office of 100 square feet or less; three in all rooms/offices greater than 100 square feet; one per workstation and per 150 square feet of open office area. Locations to be confirmed by the User Agency during the design phase.

The landlord is to provide, at landlord's expense, a qualified communications installer certified in the installation of low voltage wiring authorized by the User Agency to wire for telephone.

The landlord is to provide a secure storage area in the building for telephone equipment at no cost to the User Agency one month before the initial scheduled date of occupancy of the proposed space. The User Agency is to be permitted access to the proposed premises before the date of occupancy without charge to install the telephone/data system and other fixtures as required.

The landlord is to allow the telephone service provider access into the building before occupancy to enable the installation of trunk lines and interface equipment. The trunk lines are to terminate in a telephone closet within the space occupied by the User Agency.

- 2.8.7. **Data Wiring:** The landlord is to provide and install a complete data wiring system for the leased space, to conform to the Commonwealth's Information Technology Architecture and Enterprise Standards/Wiring standards and guidelines, including all horizontal station wire, communications outlets, modular connectors, permanent connectors and vertical distribution systems (or riser backbones) with riser cable access conduit or sleeved cores. (The Wiring standards can be accessed directly at <http://www.state.ma.us/itd/spg/publications/standards/ArchStan.htm#Wiring>.) The landlord is to provide and install adequate plywood backboard to be wall-mounted for telephone and data equipment needs, punch-down blocks, rack-mounted, modular RJ-45 patch panels, light and convenience outlets.

The landlord is to pre-wire each data jack/extension from the rack-mounted modular RJ-45 patch panel in the telecommunications/LAN room to the jack location. Pre-wiring is to consist of a minimum of twin four pairs of ICS Category 6 balanced twisted pair (4 pair voice,

Category 6, 24 AWG; 4 pair data, Category 6, 24 AWG) unshielded cable connecting to dual faced modular RJ-45 jacks, or as required by the data equipment, at the extension. The exact jack type is to conform to the Commonwealth's Information Technology Architecture and Enterprise Standards/Wiring standards and guidelines.

Each of these wire pairs are to terminate in a 110-type block in the telecommunications/LAN room. The landlord is not to exceed a 100-meter insertion loss. The landlord is to supply baluns, patch panels, and equipment cabling as required by the User Agency during the design phase. All data wire is to conform to the Commonwealth's Information Technology Architecture and Enterprise Standards/Wiring standards and guidelines, including a physical wire test with signed acceptance.

The landlord is to provide and install data outlets as follows: two in each conference room, hearing room and any other room/office of 100 square feet or less; three in all rooms/offices greater than 100 square feet; and one per workstation and per 150 square feet of open space area. Locations to be confirmed by the User Agency during the design phase.

The landlord is to provide, at landlord's expense, a qualified data wiring installer certified in the installation of low voltage wiring authorized by the User Agency to wire for data.

The landlord is to provide and install all telecommunications wiring neatly without using any electrical conduits, plumbing, heating or air-conditioning structures for support. Wiring must be routed so that it does not interfere with access to panels, switches, valves or other maintenance systems. All data cabling should be at least one foot away from power unless it is run in separate conduit or cable trays.

All twisted pair cable must be tested by the installer for opens, shorts, crossed pair, properly terminated connections and the ability to meet Category 6. All test results must be included in the installation documentation.

All cables must be marked clearly and legibly at both ends. All cables must be labeled with floor, room, and jack number for ease of identification.

Station locations must be marked on connection blocks at all IDF (intermediate distribution frame) and MDF (main distribution frame). The first pin for each station cable must be identified.

Cable Documentation - The cable installer must provide clean and legible "as-built" cable drawings and records as part of the system installation. These drawings must, at a minimum, show the location and type of all communications rooms, communications closets, all distributing cable runs, and all outlets. Cable record must, at a minimum, include station number, horizontal and riser distribution cable numbers and all other information necessary to correlate cable runs and

terminating locations. Cable records should also include the cable lengths for all distribution and outside plant cable (by segment) and the locations of any splices.

- 2.8.8. **Telecommunications/LAN Room:** The landlord is to provide and install dedicated power to the telecommunications/LAN room, as well as any electrical adapters or receptacles required to operate the User Agency's telecommunications equipment, and an emergency power failure light. The landlord is to provide and install a minimum of two offset wall-mounted, studded, plywood backboards 6' x 8', installed to provide for all telephone and data needs, as confirmed by the User Agency during the design phase.

The landlord is to provide and install a minimum of seven 20-amp, dedicated circuits (one dedicated to the security system), and seven isolated ground quadplex outlets. The location and amperage are to be determined after selection of a telephone vendor by the User Agency during the design phase.

The HVAC distribution system must be designed to allow a maximum telecommunications/LAN room temperature of 70° Fahrenheit, twenty-four hours a day, with the full complement of equipment in the room. Telecommunications/LAN rooms should be equipped with individual thermostats to control room temperature and a temperature humidity alarm linked to the property management office or to building security. Relative humidity should be maintained at 30% to 50%. The space is to be kept free of dust, and no radio frequency interference (RFI) or electro magnetic interference (EMI) producing equipment is to be located in the switch area. Fluorescent lighting is specifically prohibited in the telecommunications/LAN room.

The telecommunications/LAN room should be centrally located within the User Agency's space.

- 2.8.9. **Agency Additional Telecommunications Closet(s):** The landlord is to provide and install a minimum of one additional telecommunications closet per floor, if needed, within the User Agency's space to comply with the Commonwealth's Information Technology Architecture and Enterprise Standards/Wiring standards and guidelines. (The Wiring standards can be accessed directly at <http://www.state.ma.us/itd/spg/publications/standards/ArchStan.htm#Wiring>.) In each, the landlord is to provide adequate wall-mounted, plywood backboard for telephone and data equipment needs, punch-down blocks, light and convenience outlets.

- 2.8.10. **Security System:** The landlord is to install, maintain, and service a security alarm system to serve the leased premises. At a minimum, this system should include motion detection and door contact alarms, all of which should be connected with a security bureau. The system is to be subject to approval by the User Agency.

2.9. **Assemblies**

- 2.9.1. **Staff Support Area** The landlord is to provide and install an adjustable-height, plastic laminate countertop 24" wide x 5' long with 4" backsplash, capable of supporting a large coffee machine and a microwave oven. The landlord is to provide and install plastic laminate base cabinet(s) 18" to 30" wide with surface-mounted doors. All counter tops to meet ADA accessibility requirements. Modular units are acceptable. The landlord is to provide and install two wall-mounted, three-pronged, ground fault outlets above counter and 220-volt outlets as required for the User Agency-supplied refrigerator, microwave, and/or vending machines.

3. **SPACE ALLOCATION AND FINISH SCHEDULE**

See attached Space Allocation and Finish Schedule.

4. **TECHNICAL EXHIBITS AND ATTACHMENTS**

See attached Technical Exhibits and Attachments.

B-3. SPACE ALLOCATION AND FINISH SCHEDULE: NAME OF AGENCY, CITY OR TOWN OF SEARCH AREA

TYPE OF ROOM	PERSONNEL SPACE			SUPPORT SPACE			TOTAL			STAFF	PARTI-	FLOOR	OPTIONAL SPECIFICATIONS
	STAFF	SF	SUBTOTAL	UNITS	SF	SUBTOTAL	SPACES	SF	SUBTOTAL		TIONS	COVER	
PERSONNEL AREAS													
Executive Director	1	144	144				1	144	144	1	Full	CPT	Lock
Manager/Counsel	3	80	240				3	80	240	3	Full	CPT	Lock
Supervisor/Senior SR Professional	5	64	320				5	64	320	5	Low	CPT	
Professional Staff	25	48	1,200				25	48	1,200	25	Low	CPT	
Administrative Assistant	1	36	36				1	36	36	1	Open	CPT	
Support Staff	6	36	216				6	36	216	6	Open	CPT	
Subtotal Personnel Areas	41		2,156				41		2,156	41			
SUPPORT													
Files/Records Storage				1	125	125	1	125	125		Full	VCT	
Secure Active Files				1	150	150	1	150	150		Open	CPT	
Supply Room				1	100	100	1	100	100		Full	VCT	Lock, shelving
Fax & Printers				4	25	100	4	25	100		Open	CPT	
Copier/Mail Area				2	25	50	2	25	50		Open	CPT	
Telecommunications/LAN Room				1	200	200	1	200	200		Full	VCT	Lock
Staff Support				1	100	100	1	100	100		Full	VCT	Counter
Bookcases				6	12	72	6	12	72		Open	CPT	
Subtotal Support Areas						897			897				
MEETINGS													
Conference Room				1	200	200	1	200	200		Full	CPT	
Interview Room				1	100	100	1	100	100		Full	CPT	
Subtotal Meetings						300			300				
ENTRY AREAS													
Reception/Transaction				1	100	100	1	100	100		Low	CPT	Reception counter
Seating				1	150	150	1	150	150		Open	CPT	
Subtotal Entry Area						250			250				
Subtotal	41		2,156			1,447			3,603	41			
Circulation (25%)									901				
TOTAL									4,504				

FOR ESTIMATING PURPOSES ONLY

Full: Office or room with full height partitions and door

Low: Open-area workstation or support area with low partition

Open: Open area with no partitions

SAMPLE

UTILIZING MODULAR SYSTEMS FURNITURE

B-3. SPACE ALLOCATION AND FINISH SCHEDULE: NAME OF AGENCY, CITY OR TOWN OF SEARCH AREA

TYPE OF ROOM	PERSONNEL SPACE			SUPPORT SPACE			TOTAL			STAFF	PARTI- TIONS	FLOOR COVER	OPTIONAL SPECIFICATIONS
	STAFF	SF	SUBTOTAL	UNITS	SF	SUBTOTAL	SPACES	SF	SUBTOTAL				
PERSONNEL AREAS													
Executive Director	1	200	200				1	200	200	1	Full	CPT	Lock
Manager/Counsel	3	120	360				3	120	360	3	Full	CPT	Lock
Supervisor/Senior SR Professional	5	80	400				5	80	400	5	Low	CPT	
Professional Staff	25	65	1,625				25	65	1,625	25	Low	CPT	
Administrative Assistant	1	50	50				1	50	50	1	Open	CPT	
Support Staff	6	40	240				6	40	240	6	Open	CPT	
Subtotal Personnel Areas	41		2,875				41		2,875	41			
SUPPORT													
Files/Records Storage				1	125	125	1	125	125		Full	VCT	
Secure Active Files				1	150	150	1	150	150		Open	CPT	
Supply Room				1	100	100	1	100	100		Full	VCT	Lock, shelving
Fax & Printers				4	25	100	4	25	100		Open	CPT	
Copier/Mail Area				2	25	50	2	25	50		Open	CPT	
Telecommunications/LAN Room				1	200	200	1	200	200		Full	VCT	Lock
Staff Support				1	100	100	1	100	100		Full	VCT	Counter
Bookcases				6	12	72	6	12	72		Open	CPT	
Subtotal Support Areas						897			897				
MEETINGS													
Conference Room				1	200	200	1	200	200		Full	CPT	
Interview Room				1	100	100	1	100	100		Full	CPT	
Subtotal Meetings						300			300				
ENTRY AREAS													
Reception/Transaction				1	100	100	1	100	100		Low	CPT	Reception counter
Seating				1	150	150	1	150	150		Open	CPT	
Subtotal Entry Area						250			250				
Subtotal	41		2,875			1,447			4,322	41			
Circulation (25%)									1,081				
TOTAL									5,403				

FOR ESTIMATING PURPOSES ONLY

Full: Office or room with full height partitions and door
 Low: Open-area workstation or support area with low partition
 Open: Open area with no partitions

SAMPLE

UTILIZING CONVENTIONAL SYSTEMS FURNITURE

B. GENERAL SPECIFICATIONS

4. TECHNICAL EXHIBITS AND ATTACHMENTS

C. ATTACHMENTS

C. ATTACHMENTS

1. PROPOSAL FORM AND INSTRUCTIONS

INSTRUCTIONS FOR PREPARATION, LABELING AND SUBMISSION OF PROPOSALS

A. Preparation of Proposals

Proposals must be submitted on the Division of Capital Asset Management and Maintenance (DCAM) Lease Proposal Form included with this RFP. A proposal consists of the Lease Proposal Form and such attachments as are requested in the Lease Proposal or the RFP.

Please submit three copies of the Lease Proposal, each signed by the proposer.

B. Sealing and Labeling of Proposals

Proposals must be submitted in a sealed envelope on which the following information is clearly marked: the name of the User Agency, the Project Number, the Proposal Submission Deadline. This information is contained on Page A-1 of the RFP. In addition, the name and address of the proposer must be on the envelope. If you plan to use a courier service or agent such as Fedex, please enclose the proposal in a separately-labeled sealed envelope to prevent it from being opened before the deadline.

If proposals are not properly labeled they will likely be opened before the deadline. Proposals opened before the deadline as the result of mislabeling or incomplete information will be rejected and returned to the sender.

C. Submission of Proposals

Proposals must be received at the following address on or before the proposal submission deadline specified on Page A-1 of this RFP:

Division of Capital Asset Management and Maintenance
Office of Leasing and State Office Planning
One Ashburton Place
14th Floor – Room 1411
Boston, Massachusetts 02108

The time clock located in the reception area of the DCAM Office of Leasing and State Office Planning is used to establish the official time for receipt of proposals. If proposals are mailed, please be sure to allow sufficient time for delivery to DCAM and distribution to the Leasing Office.

Proposals received by DCAM after the submission deadline will be returned unopened to the sender. A firm proposal submission deadline is necessary to insure fairness to all proposers.

D. Submission of Multiple Proposals

Proposers may submit separate proposals for different buildings. Proposers may also submit alternative proposals for the same building, e.g., where different space is proposed at a different cost, or where special features of the building can be used to meet the needs of the User Agency in a better, more cost-efficient or timely manner.

E. Withdrawal of Proposals

Proposers may withdraw their proposals only by written notice to DCAM at the above address.

**THIS OFFICIAL FORM MAY NOT BE ALTERED. ANY CHANGES OR ALTERATIONS
MADE TO THIS FORM MAY RESULT IN DISQUALIFICATION OF THE PROPOSAL.**

LEASE PROPOSAL

User Agency: _____ Project No: _____

To: Director, Office of Leasing and State Office Planning
Division of Capital Asset Management and Maintenance
One Ashburton Place, 14th Floor - Room 1411
Boston, Massachusetts 02108

The undersigned has read the Request for Proposals (RFP) and has carefully examined all specifications therein. The undersigned certifies that prior to occupancy by the User Agency, the proposed property shall comply with all RFP specifications unless stated otherwise in this Proposal; that the undersigned is an eligible proposer as defined in the RFP; and that there are no known obstacles to prevent the owner from executing a lease, or which could invalidate such agreement. The undersigned confirms that the owner of the proposed property will 1) enter into a lease substantially in the form of the one attached to the RFP; 2) provide a notarized statement listing the names and addresses of all persons having a direct or indirect beneficial interest in the property, as required by M.G.L. chapter 7, section 40J; and 3) provide a notarized certification that all state taxes and employment-security contributions have been paid by the owner in accordance with M.G.L. chapter 62C, section 49A and chapter 151A, section 194(b). The undersigned acknowledges that DCAM may reject all proposals, or waive portions of the RFP for all proposals, if it deems it in the Commonwealth's best interest. The undersigned proposes to lease property to the Commonwealth of Massachusetts as follows:

1. Proposal Summary

Address of Proposed Building: _____ Floor No.: _____
City _____ State _____ Zip Code _____ Proposed Usable Area: _____ USF
(see RFP s. 4.5 for definition of "Usable Area")

Search Area

Confirm that the proposed building is located within the search area defined in the RFP. ☐ Yes ☐ No

Commonwealth Standard Lease

Proposed Term of Lease: _____ Years

Confirm that the proposed landlord will enter into a lease substantially in the form of the Commonwealth Standard Lease attached to the RFP without material modification. ☐ Yes ☐ No
Please attach a separate sheet identifying all proposed revisions.

Proposer

Name of Proposer: _____
Contact: _____
Company Name: _____
Proposer's Address: _____
City _____ State _____ Zip Code _____ Tel: _____
Fax: _____
Proposer is submitting this proposal as (see RFP s. 4.3 for definition of "Eligible Proposer"):
☐ Owner ☐ Broker or Agent ☐ Other: _____
Proposer's Signature: _____ Date: _____

Owner

Name of Property Owner: _____
Owner's Address: _____
City _____ State _____ Zip Code _____ Tel: _____

2. Cost

Please complete the table below by writing in the components of the proposed Total Rental Rate and Total Annual Rent for each year of the lease term. The left-hand column identifies components of the User Agency's cost of occupancy. If one or more component cost is excluded from the proposed rent, please write "Excluded" in the appropriate box below. Please provide information about excluded costs in "Comments" below. Please also compute and write in the Average Rental Rate in the appropriate box.

DCAM encourages submission of gross flat-rent proposals. To facilitate submission of alternative rent proposals, the Lease Proposal includes a duplicate page two.

Please include *all* cost information for the proposal on this page. Use the "Comments" section for information not included, or fully explained, in the table.

Proposed Rental Rate (\$/usf/yr)	Year One	Year Two	Year Three	Year Four	Year Five
Base Rental Rate					
Tenant Improvements					
Janitorial					
Lights and Plugs					
Other Utilities _____					
Reserved Parking					
Other _____					
Total Rental Rate					
Total Annual Rent					
Average Rental Rate					

Comments:

Alternative Rent Proposal

2. Cost

Please complete the table below by writing in the components of the proposed Total Rental Rate and Total Annual Rent for each year of the lease term. The left-hand column identifies components of the User Agency's cost of occupancy. If one or more component cost is excluded from the proposed rent, please write "Excluded" in the appropriate box below. Please provide information about excluded costs in "Comments" below. Please also compute and write in the Average Rental Rate in the appropriate box.

DCAM encourages submission of gross flat-rent proposals. To facilitate submission of alternative rent proposals, the Lease Proposal includes this duplicate page two.

Please include *all* cost information for the proposal on this page. Use the "Comments" section for information not included, or fully explained, in the table.

Proposed Rental Rate (\$/usf/yr)	Year One	Year Two	Year Three	Year Four	Year Five
Base Rental Rate					
Tenant Improvements					
Janitorial					
Lights and Plugs					
Other Utilities _____					
Reserved Parking					
Other _____					
Total Rental Rate					
Total Annual Rent					
Average Rental Rate					

Comments:

Instructions: Please complete the remaining sections to the best of your knowledge and ability. Attach all documents requested, including any information that may assist the Commonwealth in evaluating your proposal.

3. Location

3.1 Access

List closest highway exits and major arterial roads and estimate their distance from the proposed building:

List public transportation serving the building, identify nearby stops and stations and estimate their distance from the proposed building:

Identify any existing or proposed shuttle serving the building, noting its route, hours of service, and schedule.

Is the cost of this service included in the proposed rent?

3.2 Proximity

If the RFP identifies, in section 7.2.2, any site which the User Agency needs to be near, please estimate the distance and travel time between the proposed building and the identified site:

3.3 Parking

See RFP s. 1.3 for the number of spaces needed and s. 4.6, 4.7, and 4.8 for definitions of parking.

Public Indicate the number of public parking spaces:

_____ within one-quarter mile of proposed building, and _____ accessible space(s) for the disabled public.

Reserved Indicate below the number and location of reserved parking spaces included in this proposal:

Address/Location, Reserved Parking	Standard Spaces	Accessible Spaces	Total Spaces

3.4 Neighborhood Characteristics

Check below the uses of all buildings or land adjacent to or across the street from the proposed building:

[] Commercial [] Residential [] Industrial [] Vacant Land [] Other (specify) _____

List amenities (banks, restaurants, shops, etc.) within a ten-minute walk of the building:

Describe neighborhood characteristics relating to safety and security:

4. Building Conditions: Enclosure, Systems, and Common Areas

4.1 Building Statistics

Year of initial construction: _____ Gross sf: _____
No. floors: _____ Floor load: _____ lb/sf Rentable sf: _____
No. elevators: _____ Passenger _____ Freight Usable sf: _____
Year and scope of latest renovations: _____

Building use: Estimate percentage break-down of existing tenants in the building:

_____ Office _____ R&D _____ Retail _____ Warehouse _____ Manufacturing _____ Residential
_____ Vacant _____ Other (specify) _____ % building occupied _____

4.2 Building Enclosure

Type of Construction: [] Brick [] Concrete [] Steel [] Wood [] Other (specify) _____

Type of Exterior Walls: [] Brick [] Concrete [] Stone [] Wood [] Other (specify) _____

Type and Age of Windows: Type: _____ Date Installed: _____ Operable: _____

Type of Roof: _____ Year of Installation: _____

Describe any proposed improvements to building enclosure: _____

4.3 Building Systems

Life Safety Systems:

Write E for those that exist and meet current code requirements, and P for those that do not exist but that will be provided as required by current codes prior to occupancy.

_____ Emergency Egress

_____ Sprinkler _____ Smoke Detectors _____ Fire Alarm

_____ Fire Escapes _____ Exit Signs _____ Fire Doors/Walls

_____ Exit Route Diagrams _____ Emergency Lighting _____ Fire Extinguishers/Hose Closets

Heating System:

Type of system, fuel source, date of installation _____

Date and scope of latest renovations _____

Available capacity for the proposed space _____

Air-Conditioning and Ventilation System:

Type of system, fuel source, date of installation _____

Date and scope of latest renovations _____

Available capacity for the proposed space _____

Is ventilation system separately ducted? [] Yes [] No

Electrical System:

Transformer capacity and date of installation _____

Date and scope of latest renovations _____

Available capacity for the proposed space _____

Is electrical system for the proposed space separately metered? [] Yes [] No

Describe any proposed improvements to building systems: _____

4.4 Building Common Areas

Note the existing condition of the following common areas and describe all proposed renovations:

Lobby/Entrance:

Stairways:

Elevators:

Corridors:

Restrooms:

4.5 Barrier free access and compliance with Americans with Disabilities Act (ADA):

Write E for those that are accessible now, and P for those that are not but will be made accessible prior to occupancy.

_____ Site _____ Building Entrance _____ Common Area Restrooms
_____ Proposed Premises _____ Common Area Hallways _____ Elevators

4.6 Hazardous Substances

Confirm that all hazardous substances in or under the proposed building and property, whether presently known or discovered, shall be remediated to the satisfaction of the Commonwealth prior to its occupancy of the building. [] Yes [] No

5. Building Conditions: Proposed Premises

5.1. Characteristics of the Proposed Premises:

Existing Use: _____
Floor Number(s): _____ Contiguous block of space: [] Yes [] No
Column spacing: _____ feet
Ceiling Height: _____ feet from the finished floor to underside of slab above.
_____ feet from finished floor to finished ceiling.
Window Space: _____ percent of total exterior wall space.
No. of Means of Egress: _____

5.2 Confirm that the Proposal complies precisely with the Landlord's Improvements specifications in Section B of the RFP:

[] Yes [] No

If you answered No above, please identify and describe the items that do not comply and for which you are proposing an alternative. You may attach a copy of the Tenant Building Standards and Finish Specifications.

6. Landlord Capacity

6.1 Confirm that the Proposal complies precisely with the Landlord Services specifications in Section B of the RFP:

[] Yes [] No

If you answered No above, please identify and describe the items that do not comply and for which you are proposing an alternative.

6.2 Availability of Space

Estimated date when the space will be vacant and construction of Landlord's Improvements can commence: _____

List existing tenants who currently occupy or have the option to use the proposed space, and term of any rental agreement: _____

If the space proposed is currently occupied by the User Agency, please incorporate into the project timeline (see 9.2 below) the plan for completing Landlord's Improvements with minimal disruption to the User Agency's operations.

6.3 Design and Construction

Identify the estimated time 1) to prepare the Schematic Space Plan, 2) to prepare Working Drawings, and 3) to complete Landlord's Improvements and any required building improvements following approval of Working Drawings. Attach a project timeline (see 9.2 below).

Name of persons or entities (e.g., architect and engineer) expected to prepare Working Drawings:

Name of person or entity (e.g., general contractor) expected to complete Landlord's Improvements:

6.4 Financing

List below the financing source(s) you have identified in connection with this lease and attach 1) documentation stating that the provision of adequate financing will not be conditioned on any material modifications to the lease, or 2) documentation identifying the necessary modifications to the lease.

6.5 Building Management

Name of person or entity (management company) expected to provide property management services. State for how long this person or entity has managed the building.

7. References (*DCAM reserves the right to contact other parties who may be familiar with the building and/or the landlord.*)

7.1 Current Tenants of Building Owner

List name, title, address and telephone number of at least three persons or entities who are current tenants of the building owner, preferably at least one of whom is a current tenant of the proposed building.

Company

Name

Address

Tel. No.

7.2 Rental Agreements with the Commonwealth of Massachusetts

List all rental agreements between the owner and the Commonwealth of Massachusetts which were in effect within the last five years.

Agency

Address

Tel. No.

8. Commonwealth Policy Objectives

Please refer to Section 7.6 of the RFP in completing this section.

Is proposed building in a Downtown Center? [☐] Yes [☐] No

Is proposed building listed on the National Register of Historic Places? [☐] Yes [☐] No

Is proposed building certified as a Historic Landmark by a local Historic Commission? [☐] Yes [☐] No

If you answered Yes on either of the last two questions, please attach evidence of historic building status.

9. Requested Documents

Please enclose the documents listed below with lease proposal.

9.1 Floor Plans to scale (1/8" = 1'0" or greater) for each floor included in the proposed lease premises. These drawings should identify the following:

- a) The proposed lease premises;
- b) All structural elements and limitations;
- c) All entrances and exits;
- d) All existing non-structural partitions, including demising walls;
- e) All existing windows, with head and sill heights;
- f) All existing restrooms, and mechanical, electrical, and telephone rooms;
- g) All existing heating, ventilating, and air-conditioning equipment;
- h) Calculation of usable area.

9.2 Project timeline, including all milestones from proposal selection to the availability of the premises for occupancy. Please demonstrate how the premises will be available for occupancy by the desired occupancy date in section 1.3 of the RFP.

9.3 Map indicating the location of: 1) the proposed building, 2) parking facilities in the vicinity, 3) public transit stops serving the building, and 4) major roadways.

9.4 If the proposer is, or represents, a prospective building purchaser, a copy of the executed purchase and sale agreement or other evidence of control of the property.

9.5 A photograph of the exterior of the building (if available).

STATUTORY ADVERTISING AND NOTICE REQUIREMENTS FOR THE ACQUISITION OF LEASED SPACE

M.G.L. c. 7s. 40H sets forth the advertising requirements which the Commonwealth must satisfy when soliciting proposals to lease space from third parties. These requirements must be satisfied in order for a lease to be valid. These requirements are restated below.

The Division of Capital Asset Management (DCAM), on behalf of the Commonwealth, is responsible for the acquisition of leased space. In certain instances, the DCAM Commissioner may delegate this responsibility to the User Agency. In these instances, the User Agency is responsible for compliance with the requirements listed below and, in order to obtain DCAM approval of the transaction, for certification to the DCAM Commissioner that the advertising and certain other requirements of c. 7 have been met.

1. Notice in the Central Register

At least thirty days before the submission deadline for the receipt and opening of proposals, the User Agency must advertise in the Central Register published by the Secretary of State, stating the need for leased space and inviting submission of proposals for such space.

2. Notice in Local Newspapers

a. When seeking leased space of more than 2,500 square feet

One advertisement must be placed at least once each week for four (4) consecutive weeks in a newspaper with circulation sufficient to inform the population in the affected area. The last advertisement must appear at least eight (8) days preceding the proposal deadline. A sample advertisement stating the information required by law follows.

b. When seeking leased space of 2,500 square feet or less

There is no statutory requirement to advertise in a newspaper, however, you should consider whether it may be advantageous to place at least one advertisement in a local newspaper, to inform local Realtors and property owners about your search for space, to ensure that you receive a sufficient number of qualifying proposals.

3. Contents of the Notices

Each Central Register notice and each newspaper advertisement must specify the geographical area, terms and requirements of the proposed transaction and must state the time and place for submission of proposals and the opening thereof. In advertising for leased space for an area Department of Transitional Assistance office, the geographical area specified in the advertisement must include all municipalities served by such office.

4. Lease of One or More Acres

Special notice and public leasing requirements apply whenever the Commonwealth leases one (1) or more acres of real property. User Agencies should consult DCAM before advertising or accepting a proposal for any leased facility consisting of an acre or more of real property.

SAMPLE NEWSPAPER ADVERTISEMENT WITH MINIMUM REQUIREMENTS

Delegation of Authority Has Been Suspended

At this time, Page 4-76 has been deleted

SAMPLE DCAM CENTRAL REGISTER NOTICE

**DIVISION OF CAPITAL ASSET MANAGEMENT
OFFICE OF LEASING AND STATE OFFICE PLANNING
ONE ASHBURTON PLACE, ROOM 1610
BOSTON, MASSACHUSETTS 02108
(617) 727-8000**

**WEEK OF APRIL 7, 1996
LEASED SPACE SOUGHT FOR STATE AGENCIES**

The DCAM Office of Leasing and State Office Planning has issued the following Requests for Proposals (RFPs) to lease space on behalf of the listed user agencies. The RFP includes instructions, the proposal form, the standard Commonwealth lease, and specifications for the leased space. Proposals must be received in the Office of Leasing and State Office Planning by the submission deadline. Please note that the time clock located at the reception area in the Office of Leasing and State Office Planning is used to establish the official time for the proposal submission deadline.

You may obtain an RFP by mail, telephone or by coming to the DCAM address listed above. If you are requesting the RFP by mail, please include the name, address, telephone and fax number of the person to receive the RFP and, if possible, a business card; allow up to nine business days for receipt of the RFP. If you are requesting the RFP by telephone, please call (617) 727-8000 x355, leave the name, address, telephone and fax number of the person to receive the RFP, and cite the name of the agency seeking space and the RFP Project Number.

* Unless otherwise noted, the Commonwealth is seeking a five-year lease term.

<u>Deadline</u>	<u>Project #</u>	<u>User Agency</u>	<u>Space Type</u>	<u>Sq. Ft.</u>	<u>Location</u>
04/17/96 2:00 PM	960150.1	Department of Revenue	Office	3,300	Burbank, California
04/17/96 2:00 PM	951060.1	Massachusetts Commission for the Deaf and Hard of Hearing	Office	8,700	Boston
04/22/96 2:00 PM	960220.1	Department of Employment & Training	Office	1,100	Pittsfield
04/23/96 2:00 PM	941420.2	Registry of Motor Vehicles	Office	7,000	Brockton
05/08/96 2:00 PM	960190.1	Massachusetts Trial Court	Office	1,025	Dedham, within approximately one-quarter (1/4) mile or a ten (10) minute walk, of the Dedham Court complex.

SAMPLE AGENCY CENTRAL REGISTER NOTICE
ACQUISITION OR DISPOSITION OF REAL PROPERTY

Delegation of Authority Has Been Suspended

At this time, Page 4-78 has been deleted

ACQUISITION OF LEASED SPACE WITH REDUCED ADVERTISING REQUIREMENTS

Under the limited circumstances outlined below, DCAM may shorten or waive the statutory advertising requirements associated with space-leasing. If an Agency wishes to lease space under any of these circumstances, it should contact DCAM immediately and ascertain whether or not the statutory advertising period may be reduced or eliminated, and request that DCAM execute any required notice or certification. In conjunction with this request, the Agency must determine whether or not it intends to seek a Delegation of Authority to enter into a lease, consistent with the procedures in Chapter 4 of this Manual.

LEASING UNIQUE PROPERTIES

If the DCAM Commissioner determines that the statutorily required advertising will not be beneficial to the Commonwealth's interests because of the unique qualities or location of the needed space, the Commissioner may waive the requirement. In the rare situation where an Agency has unique space requirements that can be met only by a single property, the Agency must notify DCAM and request a waiver of the advertising requirement. In making this request, the Agency shall explain the reasons for its determination, relate its unique requirements to the proposed lease space, and include all the particulars about the terms of the proposed lease, including the name and address of the landlord, and the location, size, limitations on use, known encumbrances, and estimate of occupancy costs, including rent, tenant improvements, and operating expenses. The Agency should either request a Delegation of Authority to enter into the desired lease or request that DCAM procure the lease. If the DCAM Commissioner makes a "uniqueness determination" and authorizes a waiver of advertising, the lease may not be executed until thirty days after the required notice of the proposed transaction is published in the Central Register.

EMERGENCY LEASING

If, due to unforeseen circumstances (e.g., a fire), an Agency cannot continue to occupy its current space and other space is needed to preserve health and safety, the Agency may request that the Commissioner certify the existence of an emergency and either shorten or waive the statutory advertising requirement in connection with the procurement of replacement space. The Agency's request shall detail the nature of the emergency and explain why the current space is unusable and unavailable, why the situation was unforeseen, and why replacement space must be secured quickly to preserve the health and safety of persons or property. This request shall also describe the type and amount of space required to be leased, and the Agency's long-term plan for space. If the Commissioner certifies that an emergency situation exists, the Agency and DCAM shall then locate replacement space. When replacement space is identified, DCAM shall publish the Commissioner's Certification of Emergency in the Central Register and notify the appropriate legislative committees, as required by law.

PUBLICLY-OWNED SPACE

If a public entity proposes to lease space to meet the Agency's need in a municipal or federal building, the Agency or DCAM must confirm that the proposed lease shall be in the form of the Commonwealth Standard Office Lease and that the proposed rental rate is at or below market for the type of space to be leased. If these conditions are satisfied, the lease may be finalized and executed without statutory advertising. The procedures outlined in Chapter 4 of this Manual for an Agency-Procured Lease (APL), DCAM-Procured Lease (DPL), should be followed to complete the transaction.

GIFT OF LEASEHOLD INTEREST

DCAM is authorized by law to accept gifts of interest in real property, including the gift of a leasehold interest. Any proposal to make such a gift must be in writing and include all particulars about the proposed terms of the gift, including the location, size, limitations on use, current ownership, known encumbrances, and estimate of any costs to the Commonwealth for improvements and operating expenses. If a particular Agency receives a gift proposal, that Agency must determine whether the proposed gift of leased space is consistent with its plans for acquisition of leased space and determine that it would not have any deleterious monetary, maintenance, or other impact on the Agency's operations. If the Agency believes that the gift should be accepted by the Commonwealth, it must provide

DCAM with a copy of the proposal and a statement of the reasons for the Agency's determination, and it must request either a Delegation of Authority to enter into the lease or that DCAM procure the lease.